

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

DAVIE HARRISON §  
VS. § CIVIL ACTION NO. 5:09-CV-25  
DIRECTOR, TDCJ-CID §

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Petitioner Davie Harrison, a prisoner confined at the Clements Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

The Court ordered that this matter be referred to the Honorable Caroline Craven, United States Magistrate Judge, at Texarkana, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends denying petitioner's third motion for default judgment.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report and recommendation of the magistrate judge is **ADOPTED**. Petitioner's third motion for default judgment, docketed as Amended Motion for Default Judgment (#33), is **DENIED**.

**SIGNED** this 3rd day of March, 2011.

  
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DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE